

198786US2RE

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

MITSUHIRO YANO ET AL

: EXAMINER:

SERIAL NO. NEW REISSUE APPLICATION:

FILED: HEREWITH

: GROUP ART UNIT:

FOR: SEMICONDUCTOR DEVICE AND:
METHOD OF FABRICATING SAME

REISSUE DECLARATION UNDER 37 C.F.R. §1.132

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

We, Mitsuhiro Yano and Kouichi Mochizuki, declare that:

1. We are each citizens of Japan and have respective residences and post office addresses as listed next to our names below.
2. We have reviewed and understand the contents of the attached specification, including the claims, of the above-identified reissue application, and including the amendments to claims 3, 8, 9, 14, and 19 submitted with the present reissue application.
3. We verily believe ourselves to be the original and joint inventors of the invention described and claimed in U.S. letters patent no. 5,945,692 for a "SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING SAME", granted August 31, 1999, to ourselves and in the foregoing specification for which invention we solicit a reissue application including amendments to claims 3, 8, 9, 14, and 19.

4. We do not know and do not believe that our invention as disclosed and claimed in the present reissue application was ever known or ever used in the United States of America before the invention thereof by ourselves.

5. We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to us to be material to patentability as defined in 37 C.F.R. §1.56.

6. We have previously claimed and still claim foreign priority benefits under Section 119 of Title 35 of the United States Code, based upon Japanese Patent Application No. 6-118386 filed on May 31, 1994, and have also previously identified and currently identify any foreign application for patent or inventor's certificate having a filing date before that of the application in which priority is claimed.

7. We believe that the original U.S. letters patent 5,945,692 is partly inoperative by reason of the issued claims 3, 8, 9, 14, and 19 of said letters patent not fully correctly reflecting the claimed invention. In particular, in the present reissue application claim 3 is amended to recite that "the second gate is not covered by said first main electrode", whereas that claim previously recited that "the second gate is not covered with said first gate". That amendment corrects an error in claim 3. Each of claims 3, 8, 14, and 19 has also been amended by the present reissue application to recite that the first gate and the second gate are "integrally formed" and "electrically connected", whereas those claims originally recited that the "first gate and second gate are connected by said gate interconnection line". That amendment more clearly claims the scope of protection of those claims and avoids a misinterpretation of the second gate. In Figure 4 of the specification of U.S. patent 5,945,692 the second gate 17 does not act as a gate, but rather the second gate 17 is formed integrally with the first gate 8 to provide the electrode 9 thereon so that the gate potential in the

semiconductor device is uniformalized. That Figure 4 shows the first gate 8 and the second gate 17 which are integrally formed. The above-noted amendments to each of claims 3, 8, 14, and 19 corrects for that error. The amendment to claim 9 also corrects for an error in the printing of the original application as claim 9 was amended in the response filed July 20, 1998, to change the term "surface protective" to "plasma CVD nitride".

8. All errors being corrected in the present reissue application arose without any deceptive intent on our part or on the part of the Assignee.

9. We believe that all claims in this application find full support in the original specification.

10. We appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected herewith:

Norman F. Oblon, Reg. No. 24,618; Marvin J. Spivak, Reg. No. 24,913; C. Irvin McClelland, Reg. No. 21,124; Gregory J. Maier, Reg. No. 25,599; Arthur I. Neustadt, Reg. No. 24,854; Richard D. Kelly, Reg. No. 27,757; James D. Hamilton, Reg. No. 28,421; Eckhard H. Kuesters, Reg. No. 28,870; Robert T. Pous, Reg. No. 29,099; Charles L. Gholz, Reg. No. 26,395; William E. Beaumont, Reg. No. 30,996; Jean-Paul Lavallee, Reg. No. 31,451; Stephen G. Baxter, Reg. No. 32,884; Richard L. Treanor, Reg. No. 36,379; Steven P. Weihrouch, Reg. No. 32,829; John T. Goolkasian, Reg. No. 26,142; Richard L. Chinn, Reg. No. 34,305; Steven E. Lipman, Reg. No. 30,011; Carl E. Schlier, Reg. No. 34,426; James J. Kulbaski, Reg. No. 34,648; Richard A. Neifeld, Reg. No. 35,299; J. Derek Mason, Reg. No. 35,270; Surinder Sachar, Reg. No. 34,423; Jeffrey B. McIntyre, Reg. No. 36,867; Bradley D. Lytle, Reg. No. 40,073; Michael R. Casey, Reg. No. 40,294; William T. Enos, Reg. No. 33,128 and Michael E. McCabe, Jr., Reg. No. 37,182.

Correspondence Address:
OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.
Fourth Floor
1755 Jefferson Davis Highway
Arlington, Virginia 22202.
Telephone: (703) 413-3000 Facsimile: (703) 413-2220

11. We declare that all statements made herein are of our own knowledge and are true and that all statements made of information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Mitsuhiro Yano
Mitsuhiro Yano

June 7, 2001

Date



22850

Kouichi Mochizuki
Kouichi Mochizuki

June 7, 2001

Date

Mitsuhiro Yano
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198786US2 RE

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE REISSUE APPLICATION OF : :

MITSUHIRO YANO, ET AL. : GROUP ART UNIT:

PATENT NO: 5,945,692 : :

ISSUED: AUGUST 31, 1999 : :

FILED: HEREWITH : EXAMINER:

FOR: SEMICONDUCTOR DEVICE AND
METHOD OF FABRICATING SAME

STATEMENT UNDER 37 CFR §3.73(b)

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Attached is a copy of the recorded Assignment at Reel 7592, Frame 0717,
establishing ownership of Patent No. 5,945,692 to Mitsubishi Denki Kabushiki Kaisha.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599
Surinder Sachar
Registration No. 34,423



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(703) 413-3000
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Assignment Of Application

Page 1 of 2

WHEREAS, I (WE) Mitsuhiro YANO of c/o Mitsubishi Denki Kabushiki

Kaisha, Fukuoka Seisakusho, 1-1, Imajuku-higashi 1-chome, Nishi-ku,

Fukuoka-shi, FUKUOKA 819-01 JAPAN

Kouichi MOCHIZUKI of c/o FUKURYO SEMICONDUCTOR ENGINEERING

CORPORATION, 1-1, Imajuku-higashi 1-chome, Nishi-ku, Fukuoka-shi,

FUKUOKA 819-01 JAPAN

, respectively,

SERT TITLE
INVENTION:
have invented certain new and useful improvements in: SEMICONDUCTOR DEVICE AND
METHOD OF FABRICATING SAME,

SERT DATE IN-
NATORS SIGNED
DECLARATION:
for which an application for Letters Patent was executed on April 11, 1995
(Application No. _____, filed _____), and

SERT NAME
ID ADDRESS OF
COMPANY OR
THER ASSIGNEE:
WHEREAS, Mitsubishi Denki Kabushiki Kaisha
(hereinafter referred to as "ASSIGNEE") having a place of business at: 2-3,
Marunouchi 2-chome, Chiyoda-ku, TOKYO 100 JAPAN,

is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefore in the United States and its territorial possessions and in any and all foreign countries;

NOW, THEREFORE, in consideration of the sum of FIVE DOLLARS (\$5.00), the receipt whereof is hereby acknowledged, and for other good and valuable consideration, I (WE), by these presents do sell, assign and transfer unto said ASSIGNEE, the full and exclusive right to the said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations, substitutions and renewals thereof.

I (WE) hereby authorize and request the Patent Office Officials in the United States and its territorial possessions and any and all foreign countries to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of my (our) entire right, title and interest in and to the same, for the sole use and behoof of said ASSIGNEE, its (his) successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me (us) had this Assignment and sale not been made.

Further, I (WE) agree that I (WE) will communicate to said ASSIGNEE or its (his) representatives any facts known to me (us) respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letter Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its (his) successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions and in any and all foreign countries.

The undersigned hereby grant(s) the firm of Oblon, Spivak, McClelland, Maier & Neustadt, P.C. of Fourth Floor, 1755 Jefferson Davis Highway, Arlington, Virginia 22202 the power to insert on this assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Executed at: Fukuoka-shi, FUKUOKA, JAPAN

Date: 1995 - 4/11

Mitsuhiko Yano
(Signature of Inventor) Mitsuhiro YANO

Date: 1995 - 4/11

Kouichi Mochizuki
(Signature of Inventor) Kouichi MOCHIZUKI

Date: _____

(Signature of Inventor)

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.
ATTORNEYS AT LAW
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VIRGINIA 22202

198786US2 RE

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE REISSUE APPLICATION OF : :

MITSUHIRO YANO, ET AL. : GROUP ART UNIT:

PATENT NO: 5,945,692 : :

ISSUED: AUGUST 31, 1999 : EXAMINER:

FOR: SEMICONDUCTOR DEVICE AND
METHOD OF FABRICATING SAME

CONSENT OF ASSIGNEE

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

The sole assignee of said aforementioned Letters Patent No. 5,945,692, Mitsubishi Denki Kabushiki Kaisha, a Japanese company, located at 2-3, Marunouchi 2-chome, Chiyoda-ku, Tokyo 100, Japan, in accordance with the requirement of 37 CFR 1.172(a) hereby assents to this reissue application.

I hereby certify that I have the authority to assent to this reissue application, that the Assignment has been recorded in the U.S. Patent and Trademark Office at reel no. 7592, frame(s) 0717, that I have reviewed the Assignment recorded at said reel and frame, and that title is in the above-noted assignee.

I, the undersigned, declare further that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title

18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: May 25, 2001

Yoshiaki Kuwano
Name Yoshiaki KUWANO
General Manager, Patent
Administration Department
Title



22850

**REISSUE APPLICATION
OFFER TO SURRENDER PATENT**

Docket Number
198786US2RE

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentee(s)
Mitsuhiko YANO, et al.

Patent Number
5,945,692 Date Patent Issued
AUGUST 31, 1999

Title of Invention
SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING SAME

I am the inventor of the original patent.

I offer to surrender the original patent.

- One box must be checked
- Filed herein is a certificate under 37 CFR 3.73(b).
 - Ownership of the patent is in the inventor(s), and no assignment of the patent has been made.

The written consent of all assignees owning an undivided interest in the original patent is included in this application for reissue.

| | |
|-----------|------|
| Signature | Date |
|-----------|------|

Typed or printed name of person signing for assignee
Surinder Sachar, Registration No.34,423

The assignee owning an undivided interest in said original patent is: **Mitsubishi Denki Kabushiki Kaisha** and the assignee consents to the accompanying application for reissue.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Name of assignee
Mitsubishi Denki Kabushiki Kaisha

Signature of person signing for assignee *Surinder Sachar* Date **6-26-01**

Typed or printed name of person signing for assignee
Surinder Sachar, Registration No. 34,423

(OSMMN 10/98)